MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) :

(1) Mr. I. C. Chacko
(2) ,, A. J. Van Ross
(3) ,, R. Dhanukoti Pillai
(4) ,, Kayyalam Paramesvaran Pillai.
(5) Mr. P. K. Narayana Pillai.
(6) ,, G. Paramesvaran Pillai
(7) ,, T. Kumara Pillai

DEPUTY PRESIDENT : The committee should submit the report in three months.

The motion was carried.

DEPUTY PRESIDENT : I appoint Mr. Kayyalam Paramesvaran Pillai as the Chairman of the Committee.

THE CINEMATOGRAPH BILL.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) : Sir, I rise to introduce a Bill for regulating Cinematograph Exhibitions. The Bill together with a full statement of objects and reasons has been published in the Gazette. I move that the Bill be read in Council.

MR. K. GEORGE (*Financial Secretary to Government*) : I second it.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) : Sir, two main purposes are sought to be achieved by this Bill. One is to ensure the safety of those who attend cinematograph exhibitions. The cinema has become a very popular amusement; and as a famous writer said recently in an article in a newspaper, it is a most momentous invention of this age next in importance only to the wireless. Naturally the cinematograph exhibitions are largely attended and it is necessary to look after the safety and protection of those who attend such performances. There must not be overcrowding, there must be sufficient ventilation, accommodation for latrine etc., and above all, the people who attend must be protected from fire. The cinematograph apparatus is of an easily inflammable material and we have very often read of fires in cinematograph houses. One of the provisions of the Bill therefore is that the cinematograph exhibitions should be conducted only in licensed permises, one of the main conditions of the license being that sufficient arrangements should be taken to ensure the safety of the people who attend the performances.

Another important provision of the Bill and another object sought to be achieved by the proposed enactment is to prohibit the exhibition of improper films. The exhibition by means of cinemotagraph creates such a deep impression and such a thorough communion with the thing exhibited in the minds of those who attend that many, especially children, become permanently imbued with the spirit of what is exhibited. It is therefore necessary that the films that are exhibited are of a proper nature lest the morals of those who attend the cinemas, especially the younger folk, be depraved by exhibition of indecent scenes. I may say also that the cinematograph may be made an instrument for propagating seditious matter or such matter as would wound religious feelings of

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[Mr. Kayyalam Parameśvaran Pillai.]

particular communities. I do not think therefore that it requires much argument from me to convince the House that the State must have some control over the exhibition by means of cinematograph and the character of the films exhibited. Provision is therefore made in the Bill that one of the conditions of the license should be that only such films as have been certified by a competent authority as fit for public exhibition are exhibited in cinema houses. I believe therefore that the Bill will be readily accepted by the House.

I may however say that there are some provisions in the Municipal Regulation relating to the issue of licenses to houses meant for public entertainment and it may be that some of those provisions overlap with those of the present Bill. I have therefore made a provision that the Government may constitute any person as the authority to give these licenses. Even the Municipal Chairman may be appointed as a competent authority though the District Magistrate will ordinarily be the licensing authority.

I hope the measure will commend itself to the House.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): In that case, may I ask whether discretion used by the Chairman of the Municipal Council may not come in conflict with the decision of the Council.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): That is a matter of detail and I believe that may be worked out in the Select Committee. Ordinarily the District Magistrate is the licensing authority. But the proviso to clause 4 of the Bill says:

> "that the Government may, by notification in the Government Gazette, constitute for the whole or any part of Travancore such other, authority as they may specify in the notification to be the licensing authority."

DEPUTY PRESIDENT: Supposing no such notification is made?

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): Then the District Magistrate will be the licensing authority.

DEPUTY PRESIDENT: The Municipal Regulation says that the licensing authority is the municipal council.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): Yes, for certain purposes. In such local areas the Municipal Chairman or the Municipal Council may be appointed by Government to be the licensing authority for the purpose of this Regulation also.

MR. N. KUMARAN (*Nominated*): May I know whether the jurisdiction of the District Magistrate will be ousted?

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): If the authority is given to the Municipal Council, the authority of the District Magistrate will, to that extent, be ousted.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know whether Mr. Kayyalam Parameśvaran Pillai will accept the position that the operation of the Bill may be confined to areas other than Municipal areas?

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MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): That is a matter of detail that may be looked into by the Select Committee.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Otherwise there is likely to be a conflict of jurisdiction.

MR KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): I have considered that matter also and I have provided by clause 8 (*e*) that Government may by Rules exempt any Municipal area from the operation of any of the provisions of this Regulation.

DEPUTY PRESIDENT: Then the object is that the provisions of the Municipal Regulation may be repealed.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): If Government feel that there is any difficulty, Government will exempt that area from the operation of this Bill.

DEPUTY PRESIDENT: The question will be whether the Regulation will have to be altered.

MR. KAYYALAM PARAMESVARN PILLAI (*Ag. Additional Head Sirkar Vakil*): It is to avoid such a contingency that the Government is proposed to be given power to make the municipal authority a licensing authority.

DEPUTY PRESIDENT: That would be a matter to be looked into.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): That is a matter of detail which will be considered by the Select Committee.

I move that the Bill be read in Council.

MR. N. NILAKANTA PILLAI (*Secretary to Government on other duty*): I second it.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Sir, I object to the principle of the Bill so far as it relates to municipal areas. The operation of the Bill is sought to be extended even to municipal areas. The effect of it should be made clear even at this stage by Government that they do not intend to trench upon the jurisdiction already vested in the Municipal Councils in the matter of licensing cinematograph or other exhibitions in the municipal areas. It is not proper that Government should tell us now that it is left to Government to exempt any municipal area under the provisions of the Bill that is now before us. Having already invested the Municipality with power in respect of municipal areas, it is certainly not right that Government should limit that power in any direction whatever by means of another Bill which vests the discretion to give such exemption or not with the Government. I would therefore request the Law Member, before proceeding with this Bill further, to accept the principle that it is not intended to override the provisions of the Municipal Regulation but to confine the proposed Regulation to areas other than the municipal areas.

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DEPUTY PRESIDENT : Have you got any objection in constituting a separate certifying authority as to whether any film can be exhibited or not?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*) : That is a matter which may be considered by the Municipality.

DEPUTY PRESIDENT : Do you not think that there should be some uniformity in the matter as a film declared fit by one may be declared unfit by another?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): That is a matter which may be considered; but so far as licensing is concerned, it is certainly objectionable.

MR. N. V. JOSEPH (*Parur*) : I support Mr. G. Paramesvaran Pillai. So far as the uniformity is concerned, Government have got the power to ask any Municipal Council to make any bye-laws. Government may also on their own initiative make bye-laws or ask the Council to make bye-laws. It is better to exempt the Municipalities from the operation of the Bill.

MR. A. K. PILLAI (*Karunagapalli*) : In supporting the principle of the Bill, I may point out that the scope of the Bill is larger than that contemplated in the Municipal Regulation. As Mr. Kayalam Paramesvaran Pillai explains, the scope contemplated by this Bill is to have a certain control over the nature of the cinemas and safeguards that might be necessary to have in the interests of the public at large and it is the look-out of the Government that they must be protected.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*) : Is Mr. A. K. Pillai aware that the Municipal Regulation itself provides for necessary safe-guards?

MR. A. K. PILLAI (*Karunagapalli*): As to the cinemas, their influence on the minds and morals is peculiar and very great. It is therefore necessary that there must be a proper controlling authority whether a particular cinema film could be produced or not. The Bill deals with a larger question and so the operation of the Bill must extend over the Municipalities as well.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) : I may say that the Government do not want to trench upon the functions of the Municipal Councils, but I may point out that the provisions of the Municipal Regulation are not as effective or as far-reaching as the provisions of this Bill. For instance, there is no provision relating to the control of the films that may be exhibited. That is one of the important provisions of this Bill.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know whether Government have authorised the Municipal bodies to frame bye-laws in respect of such matters?

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) : May be. But that is intended for the safety of those who attend such exhibitions and not to ensure the propriety of the films that

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may be exhibited. However that is a matter that will be threshed out by the Select Committee.

DEPUTY PRESIDENT: Before putting the matter to the vote, I may say a word in connection with this discussion. It will be found that there is no provision in the Madras Act empowering the Municipalities to license cinemas. There is a provision in the British Indian Act of 1918 on the subject and therefore there is no specific provision in the Municipal Act. I believe our provisions in the Municipal Regulation were taken from the Punjab Act long before the 1918 Act was passed. There is therefore no doubt that the Municipalities in Travancore are empowered to issue licenses to cinemas and it may be said that there would be conflict of jurisdiction between the Municipal authorities and the District Magistrate. But it will be granted that, so far as the certifying authorities are concerned, it should be either the Municipal authorities or the District Magistrate. It is necessary to see that one does not conflict with the other or that the object of the present Regulation is not to repeal the provisions of the Municipal Regulation. It is better to make a definite statement on the point. I believe it would be better if it is stated that the municipalities in issuing a license will be guided by the provisions of the rules framed thereunder. I believe that is a matter which may be safely considered by the Select Committee. I think that the principle of the Bill need not be objected to. I believe the House may now decide as to whether the Bill is to be proceeded with in its first stage or not.

May I take it that the principle of the Bill is accepted by the House ?

The principle of the Bill was accepted by the House.

The Secretary read the title of the Bill.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) : I move that the Bill be referred to a Select Committee consisting of—

1. Mr. G. Paramesvaran Pillai.
2. Mr. A. K. Pillai.
3. Mr. W. H. Pitt.
4. Mr. K. V. Natesa Aiyar, and myself, to report within three months' time.

DEPUTY PRESIDENT: Does the House accept the names ?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I move that Dr. M. N. Pillai be also included.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): Yes, that may be done. I would add the name of Dr. Madhavan Pillai also. His wide experience will be of great assistance to the Committee.

DEPUTY PRESIDENT: Does the House accept these names ?

The names were accepted by the House.

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DEPUTY PRESIDENT: Mr. Kayyalam Paramesvaran Pillai will be the chairman of the Select Committee.

THE TRAVANCORE LIMITATION REGULATION AMENDING BILL.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*) . Sir, I beg to introduce a Bill to amend the Travancore Limitation Regulation. The Bill has been published in the Gazette with a statement of objects and reasons. I move that the Bill be read in Council.

MR. N. NILAKANTA PILLAI (*Secretary to Government on other duty*): I second it.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): This amendment relates to Article 144 of the Limitation Regulation. Under that Article, complaints of offences under certain Sections of the Penal Code have to be preferred within a particular period, and those sections are mentioned in that article. But that Article refers to "Penal Code" merely and does not say that it is the Travancore Penal Code. It will be seen that these sections really refer to the sections of the Indian Penal Code. In order that the references in the article may be uniform with other laws in force in the State, I have brought this amendment altering the number of sections and substituting the corresponding sections of the Travancore Penal Code. I believe this will be accepted by the house.

DEPUTY PRESIDENT: May I take it that the House accepts the Bill? The principle of the Bill was accepted by the House.

The Secretary then read the title of the Bill.

MR. KAYYALAM PARAMESVARAN PILLAI (*Ag. Additional Head Sirkar Vakil*): The proposed amendment is a simple matter and I do not think it is necessary to refer it to a Select Committee. I may also point out that the Limitation Regulation is to come into operation on the 1st of Makaram 1101; and it is desirable that this amendment also must come into effect on or before that date. I therefore move that the Bill be taken into consideration at once and request you Sir, to permit me to make the motion.

DEPUTY PRESIDENT: Yes, I allow it.

MR. N. NILAKANTA PILLAI (*Secretary to Government on other duty*): I second the motion.

I further move that the Bill be taken up for final reading and passed on a future day in this session itself of which notice will be given to the members.

MR. K. GEORGE (*Financial Secretary to Government*): I second it.

The motion was carried.

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